G.R.S. III-2]

Previous references. Pat 30-22 (1-2) (1923-4 Pat)

File No. 38-23

Serial Nos. 1-2

Later references. J+C 465-29 (1-2)

(18)

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 2

Part B for NOV·24

SUBJECT

Registration of soap labels Govt Coin &c.

Director Jpb

Jo 3110 d 7.11.24

To

Director of Geology

State that such labels are more in the nature of trade marks and there is an enactment in force in Mysore for their registration

Ramchandra

G. R. S. III—11 1923

GENERAL AND REVENUE SECRETARIAT.

Cal

NOTES.

File No. 38/23

FILE HEADING.

Registration of Soap Labels Act

Rules & Orders

From

Dir of Ind

No. G.1426 Dated 27/8/24 Received

Diary No. 4180	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

NOTES—First Sheet.

W D 1661—GPB—30,000—1-3-21

Part 38-23-1 G1820 (2)

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record]

Letter No G. 1426 C & C
dt 3 24 forwarding
Govt. of I & C

Forwards specimens of designs of the trade labels that are being used for packing the sugar manufactured in the Govt trade factory & requests registration under Regn No. XI 1996.

---

1) There is no legislative enactment for the registration of trade marks like the present ones & hence no applications for registration of such labels have been received

2) Regn No. XI of 1996 referred to by the Govt does not cover any such things

N. B.—Should routine notes be written on small slips the notes must be copied, or slips pasted on this form.

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc not intended for permanent record.]

about the Trade-marks

Rly 3) A copy of Regn XI of 94 is enclosed for ref

2d

31·3·24

4) Dr Jones draws

the Deputy probably wants more

time desires time by when should

Registered under S 50 of the

Mysore Inventions & Designs

Regulation — (Part II)

5) It is for Consideration

whether the above may be

Amended in the pursuance

Form (V Schedule) of Mysore

any fees are to be received

in such Cases being worked

as Commercial lines —

SNR

Rly Secy 6) 4/4 The Dr may be asked

to pay in a formal

application stating the

Registrn

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

406

15.4.24.

1) The may be

SNR

15/4

SNR 18/4

4

1.150
Part 38.23

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

8) The file was forwarded to the Supdt for Consideration whether the Inventions & Designs Act really applies to this Case. Dr Lewis is applied for & there is no harm in acting on the Opinion as invited. A draft may be put up with a Note discussing the points at issue

SMR 13/5

9) Please put up the Madras Trade Marks Act with Commentaries if available & of the Commentaries if any on Inventions & Designs Act with Commentaries it may also be put up The Journal Vols may also be sent for reference.

SMR 20/5

10) Submitted

1) Copies of Madras Trade Mark Act. (a) are not available & (b) Govt. of India Trade Marks Act/1911
2) Govt. of India Documents &
(c) Designs Act of 1888
(d) ——— 1911
(e) Hopkins on Trade Marks 2nd (U. S. A)
Law of Unfair Trade Code (III Edn also) are not up to date

11) Please see draft Note as submitted

SM 24/7

(Position of Inventions is with the Trade Mark Act)

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on, this form.

U/C D 5

G. R. S. III-2]

WD 2610—GPB—10,000—31-5-24

Generai and Revenue Secretariat. | Pat File No. 38 of 1923.

Serial No.

(12) The point raised is the Registration of labels for packing the soaps manufactured in the Govt. Soap Factory under the Mysore Patents & Designs Regn. XXI of 1874.

(13) The terms "Design" & "Trade Mark" are clearly explained in p.p. 7-9 of office note in D.C. 31-21 by the Govt. Advocate

(14) The question of the registration of wrappers of the pattern sent by the Dir. is to be addressed by Asst. K. Krishnaiya Setty on 21.8.22 and the Govt advocate has recorded his opinion to the contrary (Vide para 12 office note p. 4 in Pat. 4-22)

M1

(15) Whether the labels now sent by the Dir come under "Designs" or "Trade-Marks" ~~is~~ is a point for decision & if necessary Govt. advocate may again be consulted

(16) All pres. applications for registration of Trade-Marks have been refused

U & V

NOTE—Contn. sheet.

(6)

L1180

r. R. S. III-2]

WD 2610—GPB—10,000—81-5-24

Generai and Revenue Secretariat. | Part File No. 38 of 1923

Serial No.

17) Orders Solicited

26/7/24

18) It will be seen from para 6 of the note that it was ordered that the Draftee may be asked to apply in the prescribed form & pay the necessary fees under the Mysore Inventions and Designs Regulation Act. This was not however taken accordingly as a doubt arose whether the wrappers could be Registered under the above Act & as it was ascertained that permission had been refused in the Post in similar Cases. The necessary references have since been traced and put up herewith and further orders —

19) Of the four wrappers sent by the draftee firm, because the trade mark cannot simply be Registered under the Inventions & Designs Regulation as this Trade Marks act has yet to be introduced in the State, the Registration is now out of the question

20) As regards the other wrappers it is for Consideration

NOTE—Contn. sheet.

4180

7

G. R. S. III-2.

General and Revenue Secretariat. | Part File No. 38 of 1923

Serial No.

Whether they can be regarded as "designs" within the meaning of the Inventions and Designs Reg^n 2 of 1894 or whether they are really "Trade marks" and are not inconsistent thereby having regard to the registration of certain designs to be printed on the soaps as well as on the wrappers it was ordered in Application No. 2 of 1923 that as there was no enactment for registering a 'Trade Mark' this application was rejected.

Reg E

2) The Govt Dr who was consulted in the matter Comments has stated that "if it is intended that printed on the wrapper etc it will become a trade mark"

Reg M

3) Dr is now for consideration whether this ruling applies to the wrappers only & not on the soaps. If the ruling applies, then the Application of Dr Doe will have to be rejected. The Govt Dr may be consulted again if necessary.

(Sd) [illegible]
Asst Secy, Govt of [illegible]
22/3

NOTE—Contn. sheet.

G. R. S. III-2.

General and Revenue Secretariat.

Pdr File No. 38 of 1923

Serial No.

No. 10 of 24-25
9/1/24
15121

Forwarded with Compliments to the Govt Advocate (with thanks) for favour of opinion—

D.O.
S. Narayana Rao
for Rev Secy to Govt
31.7.1924.

GEN. & REV. SECRETARIAT
3 - OCT. 1924
G. O. BRANCH

I have already several previous occasions Expressed my opinion that such prints or labels are more in the nature of trade marks than "designs" as defined by S. 49 of the Inventions & Designs Act. We have no enactment in force to dispose of the registration of trademarks.

I am afraid therefore the the applications for registration cannot be entertained

Thanks

Govt Advocate
2/10/24.

Reply with the Sent Accgs

SMR 6/10

Rev Secy

Yes please

GEN. & REV. SECRETARIAT
5 - OCT 1924
INDUSTRIES & COMMERCE BRANCH

NOTE—Contn. sheet.

4180/23 24 9

G. R. S. III-2]

WD 2810—GPB—10,000—31-5-24

General and Revenue Secretariat. | Part File No. 38 of 1923

Serial No.

Draft Rule 2.
29/10/24

Is pursue before issue.
Refer para 7 of the note
SNR 7/11

38/3.11

Rt Hon Member

Draft when finally
received

4/11

SNR 8/11

2 To

The Director of Patents
&c. T.C. 3110 of 7/11/24

With reference to your letter
dated [illegible] on the subject
of Trade Marks Rules. There
is no enactment in force in
Mysore for their registration

GEN. & REV. SECRETARIAT
10 NOV 1924
INDUSTRIES & COMMERCE
BRANCH.

NOTE—Continued sheet.

30616

Pol. 38-23-1

TELEGRAPHIC ADDRESS "INDUS COM."

GOVERNMENT OF MYSORE,

DEPARTMENT OF INDUSTRIES AND COMMERCE.

In reply please refer to No. G.1426.C

Enc Specimen

GENL. & REV. SECRETARIAT 29 MAR 1924 INDUSTRIES & COMMERCE BRANCH.

OFFICE OF THE DIRECTOR,

Dated, Bangalore, the 27th March 1924.

FROM

P. G. D'SOUZA, ESQ., B.A., B.L.,
Director of Industries and Commerce in Mysore,
Bangalore (India).

DIARY NO 4180

1923 - 1924
Section. Pol
File No. 38-23
Serial No. 1

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

GENL. & REV. SECTT. 29 MAR. 1924 G. D. SECTION

SIR,

I have the honour to forward herewith Specimens of the designs of the soap labels that are being used for packing the soaps manufactured in the Government Soap Factory and to request you to be so good as to have them registered under the Mysore Regulation No:XI of 1894 as it has been brought to our notice that many concerns both in the State and various parts of the Madras Presidency are using colourable imitations thereof and selling their soaps with a packing bearing close resemblance to ours; so as to obtain the benefit of the - - reputation the Government Soaps have been enjoying for a considerable period. I shall remit the fee if any that has to be paid on receipt of intimation as to the amount required.

I have the honour to be,

Sir,

Your most obedient servant,

DIRECTOR.

BV)

The Government Soap Factory Bangalore.

SUPERFINE

Toilet Soap

Delicately Perfumed.

A PERFECT TOILET SOAP

The Government Soap Factory Bangalore

GLYCERINE

Toilet Soap

A PERFECT TOILET SOAP

This Soap Contains
British Pharmacopoeia
Quality Sandalwood Oil
Prepared by
the Govt. of Mysore.

SUPERFINE
Toilet
Soap
DELICATELY PERFUMED
THE MYSORE GOVERNMENT
SOAP FACTORY
TRADE MARK.
Govt. Soap Factory.
Bangalore.
This Soap Contains
British Pharmacopeia
quality Sandalwood Oil
Prepared by
the Govt. of Mysore.

TRY ON

SPECIAL TOILET SOAPS—BA-BA ROSE AND SUGANDHI.
Price Rs. 9½ a dozen. Ask for them

17

G. R. S. VI–G-32] B50—WD 0527

SUBJECT .....

.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat
( )
, the *192*

Date of issue 7/11/24

Signed by Jas S. N. Rao

Section Pat
File No. 38-2-3
Serial No. 2

No. 1-C 3110

To The Dir of Stats

.....

Sir

With reference to your letter No G. 1426 C. of 27. 3. 24 forwarding some specimens of designs of ~~the~~ soap labels used for packing the soaps manufactured in the Govt. Soap Factory and requesting their registration under Regulation XI of 1894, I am directed to state that such prints on labels are more in the nature

over

18

of "trade-marks" "designs"
"designs" as defined by Sects
4 & 9 of the Inventions & Designs
Regulations, and ~~for the~~
~~registration of articles~~ THEIR there
is no enactment in force
in Queensland for their registration

I have &c

Secy to Govt
Per Deputy

29